

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

KENTUCKY SPEEDWAY, LLC

Plaintiff,

vs.

NATIONAL ASSOCIATION FOR STOCK  
CAR AUTO RACING, INC., *et al.*

Defendants.

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Misc. No. 06-203 (KAJ)

DECLARATION OF JOHN M. SEAMAN  
REGARDING ATTORNEYS' FEES INCURRED IN RESPONDING TO  
DOVER MOTORSPORTS INC.'S MOTION FOR SANCTIONS

STATE OF DELAWARE                     )  
   ) ss.  
COUNTY OF NEW CASTLE             )

1. I am an associate at the firm of Bouchard Margules & Friedlander, P.A. I submit this Declaration in Support of Plaintiff Kentucky Speedway, LLC's ("Kentucky") application for sanctions incurred in responding to Dover Motorsports Inc.'s ("Dover") application for attorneys' fees incurred in responding to Kentucky's subpoenas. (D.I. 29)

2. Kentucky seeks an award of its attorneys' fees incurred in responding to Dover's application for sanctions against Kentucky for issuing two Delaware subpoenas and for responding to the motions as ordered and granted by the Court (the "Dover Fee Application").

3. I make this declaration setting out for the Court the attorneys' fees that Kentucky has incurred in responding to Dover's Fee Application. The hours spent and rates set forth are based upon the time records and bills of my firm Bouchard Margules &

Friedlander, P.A. ("BMF"), and my co-counsel's firm, Susman Godfrey, LLP ("SG"), which are accurate to the best of my knowledge, information and belief.

4. SG Fees – 8.0 hours of attorney associate time at \$400 per hour for Justin Nelson, and 1.0 hour of attorney associate time at \$300 per hour for John M. Neukom.

5. BMF Fees – 2.75 hours of attorney associate time at \$300 per hour for John M. Seaman.

  
John M. Seaman

Sworn to and subscribed before me this  
6th day of March, 2007

  
Notary Public

JULIE L. FIELDER  
NOTARY PUBLIC  
STATE OF DELAWARE  
My Commission Expires Dec. 9, 2008

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